

CHAPTER 22 PHARMACY TECHNICIANS

657—22.1(155A) Definitions.

“Board” means the Iowa board of pharmacy examiners.

“Pharmacy technician” means a person registered by the board who is in a technician training program or who is employed by a licensed pharmacy located in Iowa under the responsibility of an Iowa-licensed pharmacist to assist in the technical functions of the practice of pharmacy, as provided in rules 22.14(155A) and 22.15(155A).

“Supervising pharmacist” means an Iowa-licensed pharmacist who is on duty in an Iowa-licensed pharmacy and who is responsible for the actions of a pharmacy technician or other supportive personnel.

“Supportive personnel” means a person, other than a licensed pharmacist, a registered pharmacist-intern, or a registered pharmacy technician, who may perform nontechnical duties assigned by the pharmacist under the pharmacist’s supervision, including but not limited to delivery, billing, cashier, and clerical functions.

657—22.2(155A) Purpose of registration. A registration program for pharmacy technicians is established for the purposes of identification, tracking, and disciplinary action. The registration shall not include any determination of the competency of the registered individual. The use of pharmacy technicians to assist the pharmacist with technical functions associated with the practice of pharmacy enables the pharmacist to provide pharmaceutical care to the patient.

657—22.3(155A) Denial of registration. The board may deny an application for registration as a pharmacy technician for any violation of the laws of this state, another state, or the United States relating to prescription drugs, controlled substances, or nonprescription drugs, or for any violation of Iowa Code chapter 124, 124A, 124B, 126, 147, 155A, or 205, or any rule of the board.

657—22.4(155A) Registration required.

22.4(1) Effective date. Beginning January 1, 1998, a pharmacy technician shall register with the board pursuant to the requirements of this chapter.

22.4(2) Registration number. Each pharmacy technician registered with the board will be assigned a unique registration number.

22.4(3) Original application required. Any person not previously registered with the board as a pharmacy technician shall complete an application for registration within 90 days of accepting employment in an Iowa pharmacy as a pharmacy technician. Such application shall be received in the board office before the expiration of this 90-day period.

22.4(4) College-based training program. A person who is in a college-based technician training program is required to obtain a pharmacy technician registration prior to beginning on-site practical experience.

657—22.5(155A) Registration application form.

22.5(1) Required information. The application form for a pharmacy technician registration shall require the following:

a. Information sufficient to identify the applicant including, but not limited to, name, address, date of birth, gender, and social security number;

- b. Educational background;
- c. Work experience;
- d. Current place or places of employment;
- e. Any other information deemed necessary by the board.

22.5(2) Declaration of current impairment or limitations. The applicant shall declare any current use of drugs, alcohol, or other chemical substances which in any way impair or limit the applicant's ability to perform the duties of a pharmacy technician with reasonable skill and safety.

22.5(3) History of felony or misdemeanor crimes. The applicant shall declare any history of being charged, convicted, found guilty of, or entering a plea of guilty or no contest to a felony or misdemeanor or crime (other than minor traffic violations with fines under \$100).

22.5(4) Sworn signature. The applicant shall sign the application under penalty of perjury and shall submit it to the board.

657—22.6(155A) Registration renewal. A pharmacy technician registration shall expire on the second last day of the birth month following initial registration. Registration shall not require continuing education for renewal.

657—22.7(155A) Registration fee.

22.7(1) Initial fee. The fee for obtaining an initial registration shall be \$30.

22.7(2) Renewal fee. The renewal fee for obtaining a biennial registration shall be \$30.

22.7(3) Timeliness. Fees shall be paid at the time when the new application or the renewal application is submitted for filing.

22.7(4) Form of payment. Fee payment shall be in the form of a personal check, certified or cashier's check, or money order payable to Iowa Board of Pharmacy Examiners.

22.7(5) Initial fees—program implementation. The fee for obtaining an initial registration issued effective January 1, 1998, shall be prorated, based on the \$30 biennial registration fee, to provide for implementation of a biennial renewal cycle requiring approximately one-half of the total registrations to annually renew.

657—22.8(155A) Late application.

22.8(1) Fee. Persons required to register or renew their registration under the provisions of Iowa Code section 155A.6, who file late application, shall pay an additional \$30 late payment fee.

22.8(2) Timeliness of initial application. An application for initial registration shall be assessed a late payment fee if not received within the applicable period specified in rule 22.4(155A).

22.8(3) Timeliness of renewal application. An application for registration renewal shall be assessed a late payment fee if not received by the expiration date of that registration.

657—22.9(155A) Registration certificates. The original certificate for a registered pharmacy technician issued by the board shall be maintained by the technician. Verification of current registration shall be maintained in each pharmacy where the pharmacy technician is employed and shall be available for inspection by the board.

657—22.10(155A) Notifications to the board. A pharmacy technician shall report to the board within ten days a change of name, address, or place of employment.

657—22.11(155A) Identification of pharmacy technician.

22.11(1) Name badge. A pharmacy technician shall wear a name badge or other form of identification while on duty which clearly identifies the person as such.

22.11(2) Misrepresentation prohibited. A pharmacy technician shall not represent himself or herself as a pharmacist in any manner.

657—22.12(155A) Tasks a pharmacy technician shall not perform. A pharmacy technician shall not:

1. Provide the final verification for the accuracy, validity, completeness, or appropriateness of a filled prescription or medication order;
2. Conduct prospective drug use review or evaluate a patient's medication record for purposes identified in rule 657—8.19(155A);
3. Provide patient counseling, consultation, or patient-specific drug information;
4. Make decisions that require a pharmacist's professional judgment such as interpreting or applying information.

657—22.13(155A) Delegation of technical functions. A pharmacist may delegate technical dispensing functions to a pharmacy technician, but only if the pharmacist is on site when delegated functions are performed, except as provided in 657—subrule 6.6(2). The pharmacist shall provide the final verification for the accuracy, validity, completeness, and appropriateness of the patient's prescription prior to the delivery of the prescription to the patient or the patient's representative.

657—22.14(155A) Technical functions. At the discretion of the supervising pharmacist, technical functions which may be delegated to a pharmacy technician include, but are not limited to, the following:

1. Performing packaging, manipulative, or repetitive tasks relating to the processing of a prescription or medication order in a licensed pharmacy.
2. Accepting prescription refill authorizations communicated to a pharmacy by a prescriber or by the prescriber's office.
3. Contacting prescribers to obtain prescription refill authorizations.
4. Collecting pertinent patient information.
5. Inspecting drug supplies provided and controlled by an Iowa-licensed pharmacy, including but not limited to drug supplies maintained in an ambulance or other emergency medical service vehicle, a long-term care facility, a hospital nursing unit, or a hospice facility.

657—22.15(155A) New prescription drug orders or medication orders. At the discretion of the supervising pharmacist, a pharmacy technician may be allowed to accept new prescription drug orders or medication orders communicated to the pharmacy by a prescriber or by the prescriber's agent if the pharmacy technician has received appropriate training pursuant to the pharmacy's policies and procedures. The supervising pharmacist shall remain responsible for ensuring the accuracy, validity, and completeness of the information received by the pharmacy technician.

657—22.16(155A) Training and utilization of pharmacy technicians. All Iowa-licensed pharmacies utilizing pharmacy technicians shall develop, implement, and periodically review written policies and procedures for the training and utilization of pharmacy technicians. Pharmacy policies shall specify the frequency of review. Technician training shall be documented and maintained by the pharmacy for the duration of employment. Such policies and procedures and documentation of technician training shall be available for inspection by the board or an agent of the board.

657—22.17(155A) Certification of pharmacy technicians. The certification and recertification of pharmacy technicians shall be voluntary and not mandatory. Pharmacy technician certification does not supplant the need for licensed pharmacist control over the performance of delegated functions.

657—22.18(155A) Discipline of pharmacy technicians.

22.18(1) Violations. The board may impose discipline for any violation of the laws of this state, another state, or the United States relating to prescription drugs, controlled substances, or nonprescription drugs, or for any violation of Iowa Code chapter 124, 124A, 124B, 126, 147, 155A, or 205, or any rule of the board.

22.18(2) Sanctions. The board may impose the following disciplinary sanctions:

- a. Revocation of a pharmacy technician registration.
- b. Suspension of a pharmacy technician registration until further order of the board or for a specified period.
- c. Nonrenewal of a pharmacy technician registration.
- d. Prohibit permanently, until further order of the board, or for a specified period, the engaging in specified procedures, methods or acts.
- e. Probation.
- f. Impose civil penalties not to exceed \$25,000.
- g. Issue citation and warning.
- h. Such other sanctions allowed by law as may be appropriate.

657—22.19(155A) Responsibility of supervising pharmacist. The ultimate responsibility for the actions of a pharmacy technician working under a supervising pharmacist shall remain with the supervising pharmacist.

657—22.20(155A) Persons exempt from registration. Other health care providers who assist in the technical functions of the practice of pharmacy and who are actively licensed or registered as a physician, a physician's assistant, an advanced registered nurse practitioner, a nurse, a pharmacist, or a pharmacist-intern, are exempt from registration as a pharmacy technician.

657—22.21(147,155A) Unethical conduct or practice. Violation by a pharmacy technician of any of the provisions of this rule shall constitute unethical conduct or practice and may be grounds for disciplinary action as provided in 657—22.18(155A).

22.21(1) Misrepresentative deeds. A pharmacy technician shall not make any statement tending to deceive, misrepresent or mislead anyone, or be a party to or an accessory to any fraudulent or deceitful practice or transaction in pharmacy or in the operation or conduct of a pharmacy.

22.21(2) Confidentiality. In the absence of express consent from the patient or order or direction of a court, except where the best interests of the patient require, a pharmacy technician shall not divulge or reveal to any person other than the patient or the patient's authorized representative, the prescriber or other licensed practitioner then caring for the patient, a licensed pharmacist, or a person duly authorized by law to receive such information, the contents of any prescription or the therapeutic effect thereof or the nature of professional pharmaceutical services rendered to a patient; the nature, extent, or degree of illness suffered by any patient; or any medical information furnished by the prescriber.

22.21(3) Discrimination. It is unethical to unlawfully discriminate between patients or groups of patients for reasons of religion, race, creed, color, sex, age, national origin, or disease state when providing pharmaceutical services.

22.21(4) Unethical conduct or behavior. A pharmacy technician shall not exhibit unethical behavior in connection with the technician's pharmacy employment. Unethical behavior shall include, but is not limited to, the following acts: verbal abuse, coercion, intimidation, harassment, sexual advances, threats, degradation of character, indecent or obscene conduct, and theft.

This rule is intended to implement Iowa Code sections 147.55, 155A.6, and 155A.23.

These rules are intended to implement Iowa Code sections 155A.3, 155A.6, and 155A.33.

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